

ORDINANCE NO. 07-93

ORDINANCE AMENDING HIALEAH, FLA., ORDINANCE 07-09 (JAN. 25, 2007) THAT REZONED PROPERTY FROM R-1 (ONE FAMILY DISTRICT) TO RO (RESIDENTIAL OFFICE) TO SUBSTITUTE A NEW SITE PLAN DATED SEPTEMBER 6, 2007 PREPARED BY OCTAVIO A. SANTURIO, A.I.A., ARCHITECT, IN PLACE OF THE PREVIOUSLY APPROVED 2006 SITE PLAN, FOR THE DEVELOPMENT OF THE PROPERTY IN COMPLIANCE WITH THE LIMITATION OF NO MORE THAN TWO OCCUPATIONAL LICENSES FOR THE PREMISES.. **PROPERTY LOCATED AT 705 EAST 8 AVENUE, HIALEAH, FLORIDA.** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of September 26, 2007 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby amends Hialeah, Fla., Ordinance 07-09 (Jan. 25, 2007) that rezoned property from R-1 (One Family District) to RO (Residential Office) to substitute a new site plan dated September 6, 2007 prepared by Octavio A. Santurio, A.I.A., Architect, in place of the previously approved 2006 site plan, for the development of the property in compliance with the limitation of no more than two occupational licenses for the premises. Property located at 705 East 8 Avenue, Hialeah, Miami-Dade County, Florida and legally described as follows:

LOT 4, BLOCK 37, SECTION FIVE, SUN-TAN VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, PAGE 12, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause.

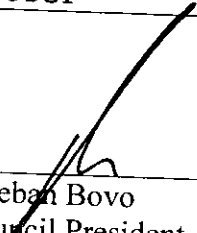
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 23rd day of October, 2007.

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.



Esteban Bovo
Council President

Attest:

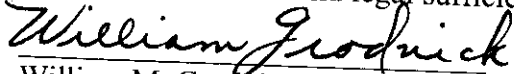
Approved on this ____ day of _____, 2007.

Rafael E. Granado, City Clerk

MAYOR'S SIGNATURE WITHHELD

Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Ordinance was adopted by a unanimous vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Gonzalez, Hernandez, Miel and Yedra voting "Yes".

Ordinance was passed and adopted by the Hialeah City Council on October 23, 2007 and became effective November 13, 2007 without Mayor's signature.